REMARKS

This Amendment is submitted in response to the Office Action mailed on January 20, 2006. Claims 1 - 4 and 20 - 33 are pending, and all stand rejected at present.

Claims 26 and 31 are cancelled, because subject matter of those claims has been incorporated into claim 1.

RESPONSE TO 102 - REJECTIONS

Claims 1 - 4, 23 - 28, and 31 - 33 were rejected on grounds of anticipation, based on Hause.

Claim 1

Claim 1 recites:

> 1. (Currently amended) A method of operating a gas turbine engine <u>which powers an aircraft, said engine</u> having a lubrication sump which vents air through a vent which produces an exit pressure at the exit of the vent, comprising:
>
> a) running the engine at idle; and <u>simultaneously</u>
>
> b) reducing said exit pressure.

<u>Point 1</u>

Claim 1 recites a "gas turbine" "engine."

No "gas turbine" nor "gas turbine engine" is shown in Hause. MPEP § 2131 states:

> A claim is anticipated only if **each and every element** as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.

Applicants request, under 37 CFR §§ 1.104(c)(2) and 35 U.S.C. § 132, that the PTO specifically identify the "gas turbine engine" in Hause.

Point 2

Hause shows a turbine T1 in his Figure 2. (Column 3, line 31 et seq.) However, that is a **hydraulic** turbine. The working fluid is automotive transmission fluid, that is, a petroleum-based oil.

As stated above, claim 1 recites a "**gas** turbine engine." The claimed "gas turbine engine" is not present in Hause.

Point 3

"Gas turbine engine" is a term-of-art. It refers to an engine which contains, inter alia, (1) a compressor which compresses air, (2) a combustor which receives the compressed air and also fuel, which burns the fuel to further increase pressure, and (3) a turbine which absorbs energy from the hot combustor gases. The turbine produces shaft power, which powers the compressor.

No such device has been identified in Hause.

Point 4

Claim 1 recites:

> . . . a lubrication sump which **vents air through a vent** which produces an **exit pressure** at the exit of the vent . . .

Clearly, the "exit pressure" is **air pressure**, since "air" is vented through the "vent" having the "exit."

The Office Action relies on the "vent or exhaust port 463" in Figure 10 of Hause to show the claimed "vent." (Column 11, lines 1 - 5.)

(Components in Figure 10 of Hause connect to other components in Figure 10a. For ease of reference, Applicant has copied part of both Figures onto a single sheet, and a copy is attached as APPENDIX A.)

However, that "exhaust port 463" carries hydraulic fluid, or oil. (Column 10, line 63.) Thus, the "exhaust port 463" in Hause does not correspond to the claimed "vent," which vents "air."

The claimed "vent" is not shown in the reference.

Point 5

Hause shows an automatic transmission for a car. Hause states that, when the car is running, and reaches a predetermined speed, valve stem 448 in his Figure 10 moves to the right, thereby connecting chamber 454 with a venting chamber 460, to which is

connected exhaust port 463. The exhaust port 463 connects to the sump 430. (Column 11, lines 1 - 7.)

This operation is **opposite** to claim 1 in two respects. Claim 1 states that (1) the engine is at idle, and (2) pressure is reduced in the vent. But, in Hause, pressure is **increased** in the exhaust port 463, when the engine is **above idle**.

Thus, these particular events of Hause are **directly contrary** to claim 1.

It could be argued that, in Hause, prior to the two events just described, the engine is at low speed, and the valve stem 448 in Figure 10 is at the left. Chamber 454 is now disconnected from the venting chamber 460, and thus disconnected from the exhaust port 463. It could be said that the pressure in the exhaust port 463 has become reduced.

However, now the exhaust port 463 cannot correspond to the claimed "vent." Nothing flows through the exhaust port 463 at this time: chamber 460 is closed.

That is opposite to claim 1, which recites a "lubrication sump which vents air through a **vent**." In Hause, there is no air traveling through exhaust port 463 at this time. (At other times, there is still no air traveling through exhaust port 463: hydraulic fluid travels through the port 463.)

Therefore, in Hause,

-- At high engine speed, pressure is

increased in port 463. That is opposite to claim 1. Also, air does not travel through port 463, as claimed.

-- At low engine speed, port 463 is blocked, and does not correspond to the claimed "vent."

Point 6

The Office Action may be referring to exhaust port 474 in Hause's Figure 10a. However, the converse of the principles discussed in Point 5 apply here.

In brief:

1) at low engine speed, pressure is increased in port 474. That is opposite to claim 1.

2) at high engine speed, port 474 is blocked, and does not correspond to the claimed "vent."

These two items will be explained.

As to item 1, block 482 in Figure 10a of Hause represents the engine intake manifold. At low engine speed, pressure in that manifold is low (or "vacuum" is high). (Column 11, lines 40 - 43.) This low pressure pulls diaphragm 486 downward, thereby pulling valve stem 476 downward, thereby uncovering exhaust port 474, and connecting that port 474 with line 438. (Column 11, lines 20 - 46.)

That **increases** pressure in exhaust port 474. Even if that

port 474 corresponds to the claimed "vent," the pressure change is opposite to that claimed.

As to item 2, at high engine speed, vacuum is low, spring 480 pushes the valve stem 476 upward, closing off exhaust port 474. Nothing travels through port 474, so it does not correspond to the claimed "vent."

Point 7

Claim 1 states that the "gas turbine engine" powers an aircraft. No aircraft appears in Hause.

Claim 2

Claim 2 recites:

> 2. (Original) Method according to claim 1, wherein the reducing of paragraph (b) comprises ducting a compressor discharge bleed to an eductor connected to the vent, to thereby draw air through the vent.

Point 1

Parent claim 1 recites a "gas turbine engine." That is a term-of-art. Dependent claim 2 recites a "compressor discharge bleed." That is a term-of-art. The "compressor" in question compresses air.

No air compressor has been shown in Hause.

Point 2

The Office Action relies on the discharging of hydraulic fluid through exhaust port 463 in Hause's Figure 10 to show claim 2.

However, again, claim 2 refers to a "compressor." A "compressor" **compresses** a gas, such as air. The gas becomes drastically smaller in volume.

That does not occur in Hause.

Point 3

It could be argued that Hause pressurizes hydraulic fluid, and that this is a type of compression. However, Applicant points out that a quantum difference exists between compressing a gas, and pressurizing a liquid.

It is a well known rule-of-thumb that, in a gas, the inter-atomic distance is about ten times that of the corresponding liquid, or solid, form of the gas. For example, in dry ice, if the distance between adjacent C02 molecules is X, then the average distance between adjacent CO2 molecules in gaseous form is about 10X.

As another example, when water boils, the inter-molecular distance increases about tenfold, in the steam, compared with the liquid water.

Therefore, consider a cube of carbon dioxide, or water, in solid, or liquid, form. If one side of the cube is Y units long,

then the volume of that cube will be Y - cubed. If that solid, or liquid, is then converted into the gaseous state, each side will become about 10Y units long. The volume is now about 1,000(Y-cubed).

That is, the volume has increased by a factor of about 1,000.

This shows the quantum difference. When a gas is compressed, its volume can change by a factor of up to 1,000 (approximately), and still remain a gas. But when a liquid or a solid is pressurized, the possible volume change is only a fraction of a percent.

From another point of view, the change in volume of the liquid or solid is, in essence, indicated by Young's modulus, which indicates how the size changes, as a function of pressure. Young's modulus for liquids and solids is extremely small, in the range of millionths.

From yet another point of view, because a gas decreases in volume so greatly upon compression, if the pressure is released, the gas will expand rapidly. Thus, for example, if a pipe containing a compressed gas ruptures, the expanding gas can cause the pipe to act like an exploding bomb. Consequently, materials for such pipes are chosen so that they do not shatter upon breakage, but simply tear. For instance, pipes made of polyvinyl chloride are prohibited for compressed gases, but copper pipes are acceptable.

This problem does not arise in pressurized liquids.

Therefore, Applicant submits that the pressurization of a liquid in Hause does not correspond to compression of a gas. Thus, the claimed "compressor" is not present in Hause.

Point 4

Claim 2 recites an "eductor." That element has not been identified in Hause.

The Office Action cites column 11, lines 1 - 19, to show claim 2. That passage identifies the following components in Hause:

valve stem 448,

land 458,

pump selector chamber 454,

venting chamber 460,

sump 430,

exhaust port 463,

front pump 174 - 320,

rear pump 324 - 326,

check valve 446,

check valve 444,

pressure regulator valve 442,

line 438,

land 462,

regulated pressure chamber 440,

vent chamber 460, and

land 458.

None of those acts as the claimed "eductor," and none of those is connected to a "compressor discharge bleed," as claimed.

Claim 3

CLaim 3 recites:

> 3. (Original) Method according to claim 1, and further comprising
>
> c) terminating the reducing of paragraph (b) when flow through the vent exceeds a floor.

Point 1

The Office Action cites Hause, column 11, lines 17 - 19 to show this. However, the pattern of steps in that passage is **opposite** to that claimed.

In the claim, the triggering event is that "flow" "exceeds a floor." For example, the "floor" may be 12 units per second. The "floor" is "exceeded" when flow rises **above** 12 units per second.

In Hause, the triggering event is that "pressure" **decreases below** a "minimum." For example, the "minimum" may be 12 units. The triggering event occurs when pressure falls **below** 12 units.

Thus, the triggering event in Hause is **opposite** to that claimed. The triggering event in Hause occurs when something

falls below a limit. The triggering event in the claim occurs when something **rises above** a limit.

Point 2

The claim states that an event occurs when "flow" exceeds a floor.

Hause states that an event occurs when "pressure" falls below a minimum.

"Pressure" in Hause does not correspond to the claimed element, and the PTO has not shown how they are the same.

Claim 4

The discussion of claim 1 applies to claim 4. To summarize:

-- When exhaust port 463 or 474 in Hause are closed off, it does not qualify as the claimed "vent," because nothing flows through the port.

-- Even when those ports are open, "air" does not flow through them, as claimed.

-- When those ports are opened, they become connected to a pressure source. That **increases** pressure. That is opposite to the claim.

Claim 23

Claim 23 recites:

> 23. (Previously presented) Method according to claim 1, and further comprising:
>
> c) terminating the reducing of said pressure during cruise operation.

Point 1

The operation of exhaust port 474 in Figure 10a of Hause is opposite to claim 23.

Block 482 in Figure 10a of Hause represents the engine intake manifold. At low engine speed, pressure in that manifold is low (or "vacuum" is high). (Column 11, lines 40 - 43.) This low pressure pulls diaphragm 486 downward, thereby pulling valve stem 476 downward, thereby uncovering exhaust port 474, and connecting that port 474 with line 438. (Column 11, lines 20 - 46.)

That **increases** pressure in exhaust port 474.

Then, if engine speed increases (supposedly at the claimed "cruise"), diaphragm 486 moves upward, causing valve stem 476 to close off exhaust port 474. Now no pressure applied to exhaust port 474.

Thus, an **increase** in pressure is followed by a **decrease** in pressure at port 474. That is opposite to the claim, which recites **terminating** a **decrease** in pressure.

Point 2

Hause states that, when the car is running, and reaches a predetermined speed, valve stem 448 in his Figure 10 moves to the right, thereby connecting chamber 454 with a venting chamber 460, to which is connected an exhaust port 463. The exhaust port 463 connects to the sump 430. (Column 11, lines 1 - 7.)

That **increases** pressure at the exhaust port 463, when the car is running. That is opposite to the claim.

Claim 24

Claim 24 recites:

> 24. (Previously presented) Method according to claim 23, and further comprising:
>
> d) during cruise operation, using a flow restrictor to reduce flow through the vent below that which would occur in the absence of the flow restrictor.

Point 1

The Office Action relies on item 442 in Figure 10 of Hause to show the claimed "flow restrictor." However, that item is a "pressure regulator valve." (Column 10, line 65.) The claimed "flow restrictor" has not been shown.

Further, the claim states that the "flow restrictor" reduces flow below the level "which would occur in the absence of the flow restrictor." This "level" will be called a "reference level" for

simplicity.

If item 442 in Hause were absent, there would be zero flow whatsoever through exhaust port 463 in Figure 10 of Hause. The reason is that, with item 442 absent, nothing connects port 463 to any source of pressure. Thus, in applying the claim language to Hause, the "reference level" is zero flow.

Therefore, item 442 in Hause does not reduce flow below the "reference level," because the "reference level" is zero. (The flow cannot fall below zero. Zero is the low-end limit.)

In fact, item 442 in Hause **increases** flow above the "reference level." That is opposite to the claim language.

Point 2

Hause's system is completely different from that claimed. Hence, application of the claim language to Hause results in a situation which makes no sense.

As explained in Point 1, above, a "reference level" is defined. That "reference level" is measured when a certain component (the flow restrictor) is absent. This measurement makes sense in the embodiment shown in the Specification, wherein the flow restrictor can take the form of restriction 85 in Figure 2.

However, in Hause, Applicant submits that any corresponding measurement makes no sense. The measurement of "reference level" requires removal of the element 442, which the PTO treats as the

claimed flow restrictor.

When element 442 is removed, Hause is rendered inoperative.

Further, when element 442 is removed, the source of pressure which feeds exhaust port 463 has been disconnected. Flow through exhaust port 463 is now zero.

Therefore, applying the definition which defines the "reference level" causes Hause to become inoperative. That fact clearly indicates that the claim language does not read on Hause.

Claim 25

Claim 25 recites:

> 25. (Previously presented) Method according to claim 1, and further comprising:
>
> c) maintaining an eductor in fluid communication with said vent; and
>
> d) using the eductor to maintain fluid flow through the vent above a predetermined minimum, said fluid flow being accompanied by said reducing of pressure.

Point 1

Claim 25 recites an "eductor." The discussion of claim 2 above shows that Hause shows no "eductor."

Point 2

The Office Action asserts that item 174 - 320 in Figure 10 of

Hause qualifies as the claimed "eductor." However, that item is a hydraulic pump, and not an "eductor."

Point 3

The claim states that the "eductor" maintains "fluid flow through the vent above a predetermined minimum." Item 174 - 320 does not do that. For example, when valve stem 448 is moved fully leftward, exhaust port 463 is closed off. Zero flow passes through exhaust port 463 at this time, regardless of the output of pump 174 - 320.

Point 4

As explained above, a reduction in pressure in exhaust port 463 occurs when the valve stem 448 closes off the exhaust port 463. To repeat: (1) pressure is reduced and (2) flow is terminated.

That is **opposite** to the claim, which states that the eductor **maintains** flow while pressure is reduced.

Point 5

One definition of "eductor" is found in paragraph 19 et seq. of the Specification. No such "eductor" is found in the reference.

Claims 27, 28, and 32

As to these claims, Applicant points out that, as explained

above,

-- When exhaust port 463 or 474 in Hause are closed off, it does not qualify as the claimed "vent," because nothing flows through the port.

-- Even when those ports are open, "air" does not flow through them, as claimed.

-- When those ports are opened, they become connected to a pressure source. That **increases** pressure. That is opposite to the claim.

Claim 33

Claim 33 is considered patentable, based on its parent.

Conclusion as to 102 - Rejections

Applicant submits that the discussion above indicates that the claims discussed do not read on Hause.

RESPONSE TO 103 - REJECTIONS

Claims 20 - 22, 29, and 30 were rejected as obvious, based on Hause and Schulze.

Schulze is Non-Analogous Art

Schulze shows a household water softener. That is non-analogous to both the other reference (Hause) and to Applicant's claims.

Schulze does not Show Elements Attributed to Him - Part I

The Office Action, page 4, section 15, second paragraph, asserts that

> Schulze . . . discloses . . . maintaining the eductor in a de-actuated state **at cruise speed** (column 10, lines 15 - 27).

Applicant points out that Schulze shows a household water softener, wherein incoming "hard" water passes through an ion exchanger A in his Figure 1. Calcium ions in the "hard" water are replaced by sodium ions in the exchanger A, producing "soft" water. Eventually, the sodium ions in the exchanger A become consumed, and Schulze must replace them. This replacement, called regeneration, is accomplished by flushing exchanger A with salt water.

There is no occurrence of "cruise speed" in Schulze, nor does he discuss "cruise speed," nor does he have any need for "cruise speed" (whatever that may mean in Schulze's context.)

Therefore, Applicant submits that the Office Action's assertion is factually incorrect. Consequently, even if the references are combined, the concept of "maintaining the eductor

in a de-actuated state **at cruise speed**" as asserted by the PTO is not present. No "cruise speed" is present in Schulze.

MPEP § 2143.03 states:

> To establish prima facie obviousness . . . **all the claim limitations** must be taught or suggested by the prior art.

Schulze does not Show Elements Attributed to Him - Part II

The Office Action, page 4, section 15, second paragraph, asserts that

> Schulze . . . discloses . . . the mixing throat (Figure 18, reference 157)
>
> [and that]
>
> the flow restrictor is within the mixing throat (column 10, lines 17 - 19, Figure 18, reference 156.)

Applicant submits that this assertion is incorrect.

Schulze calls item 157 in his Figure 18 a "throat." (Column 10, line 19.) He calls item 156 a "flow regulator." (Ibid.)

But the latter is **not within** the former, as claimed. (Figure 18.) The supposed flow regulator 156 is **outside** the throat 157.

Therefore, Applicant submits that the Office Action's assertion is factually incorrect. Consequently, even if the references are combined, no "flow regulator" **within** the "throat" is attained.

Rejection Fails to Comply with MPEP - Part I

Point 1

MPEP § 706.02(j) states:

> Contents of a 35 U.S.C. 103 Rejection
>
> . . . After indicating that the rejection is under 35 U.S.C. 103, the examiner should set forth in the Office action:
>
> . . .
>
> (C) **the proposed modification of the applied reference(s) necessary to arrive at the claimed subject matter** . . .

The Office Action has failed to set forth the "proposed modification" as required.

That is, the Office Action has only asserted that (1) Hause shows some claim recitations and that (2) Schulze shows the remaining claim recitations.

But the Office Action has not shown **how Hause is modified** in order to attain the claims. No "proposed modification" has been set forth, as required by the MPEP.

Point 2

Applicant submits that it is **impossible** to modify Hause, using Schulze's elements.

-- Hause shows an automatic transmission in

a motor vehicle.

-- Schulze shows a household water softener, which is re-charged using salt water.

How is Schulze's salt water utilized by Hause's transmission ?

Rejection Fails to Comply with MPEP - Part II

No expectation of success has been shown, indicating that the combination of references actually works.

MPEP § 706.02(j) states:

> Contents of a 35 U.S.C. 103 Rejection
>
> . . .
>
> To establish a prima facie case of obviousness, three basic criteria must be met.
>
> . . .
>
> Second, there must be a reasonable expectation of success.
>
> . . .
>
> The . . . reasonable expectation of success must . . . be found in the prior art and not based on applicant's disclosure.

The Office Action has not shown how a household water softener can be combined with an automatic transmission. No expectation of success has been shown.

No Valid Teaching Given for Combining the References

The rationale given for combining the references is that

> [The combination readily moves] engine fluids that are regulated by pressure in and out of the engine.
>
> (Office Action, page 4, end.)

However, several problems are found in this rationale.

Problem 1

The rationale states that the combination moves "fluids" "in and out of the engine." However, neither reference does that.

There is no engine present in Schulze.

No movement of fluids "in and out" of an "engine" has been shown in Hause. The Office Action relies on components of an **automatic transmission** in Hause, not an "engine."

Therefore, the goal set forth by the rationale, namely, moving fluids in and out of an engine, is not found in the references, even if combined. Consequently, the combination of references does not achieve that goal, so there is no teaching for making the combination.

Problem 2

Hause, by himself, moves hydraulic fluid into and out of a sump in an automatic transmission. Even if the automatic

transmission is considered part of the "engine" (which is not so, because a "gas turbine engine" is recited in the claims - Hause's engine does not correspond to the claimed engine), there is no need to **combine** the references to attain that goal (of fluid movement).

Therefore, the stated goal (to attain a specific fluid movement) does not, as a matter of logic, lead to the combination of references. Hause, by himself, moves fluid into and out of a sump in an automatic transmission. There is no need to add Schulze.

Problem 3

The stated goal (to move fluids in and out of an engine) has no relevance to the claims. One purpose of the invention is to reduce loss of lubricant through a venting tube. That is, the goal is to **keep the lubricant within the engine**, not to move it "in and out" of the engine.

Therefore, Applicant submits that the PTO must explain how its proposed goal, which is opposite to one goal of the invention, leads to a combination of references which shows the claimed invention.

Problem 4

The rationale for combining the references is not found in the prior art. MPEP § 706.02(j) states:

Contents of a 35 U.S.C. 103 Rejection

. . .

To establish a prima facie case of obviousness, three basic criteria must be met.

First, there must be **some suggestion or motivation**, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings.

. . .

The teaching or suggestion to make the claimed combination . . . **must . . . be found in the prior art** and not based on applicant's disclosure.

Even if References are Combined, Claimed Invention is not Attained

Claim 20 recites

. . . an eductor having a mixing throat which provides an exit path to air exiting the sump vent.

The Office Action cites Schulze to show the claimed "eductor."

Operation of Schulze

Schulze shows a household water softener. Schulze has two modes of operation:

1) normal operation, when softened water is delivered to the house, and

2) regeneration, when salt water is injected into tank 10 in his Figure 1.

During normal operation, no water passes through eductor 15 in Schulze's Figures 1 and 18. The reason is that valve 151/153 is closed. No water flows through conduit 147 in Figures 1 and 18. (Column 10, lines 1 - 9.)

During normal operation, incoming fresh, but unsoftened, water arrives on line 11 in Figures 1 and 18, and is diverted on line 12 into tank 10, where softening occurs because of contact with the filter bed A. Then the softened water rises on line 14 in Figure 1, and exits on line 16. Eductor throat 157 is not involved at this time. (Column 9, line 73 - column 10, line 9; column 11, lines 6 - 13.)

Therefore, during normal operation of Schulze, there is no eductor in operation in Schulze which can show the operating eductor as claimed.

During the other mode of operation in Schulze (regeneration), incoming fresh, but untreated, water passes through conduit 147, and creates a vacuum near throat 157 in Figure 18. This vacuum draws salt water from line 158, and the mixture of fresh water and salt water flows through line 14 into tank 10 in Figure 1. Applicant points out that this flow through line 14 is in the opposite direction to that occurring during normal operation. (Column 11, line 14 et seq.; column 10, line 10 et seq.)

Why Regeneration in Schulze Fails to Show Claimed "Eductor"

As stated above, claim 20 recites:

> . . . an eductor having a **mixing throat** which provides an exit path to air exiting the sump vent.

The Office Action relies on throat 157 in Schulze's Figure 18 to show the claimed "mixing throat".

POINT 1

Applicant points out that no "air" as claimed is present. Water is present in Schulze's throat 157. Thus, the claimed "exit path to air" is not present.

POINT 2

Applicant points out that claim 20 states that the "mixing throat" "provides an exit path to air exiting the sump vent." Parent claim 21 states that the sump vent vents air from a lubrication sump.

No "lubrication sump" as claimed is found in Schulze. Nor is a "sump" "vent" found, as claimed.

POINT 3

According to Schulze, only two things pass through Schulze's

throat 157 in his Figure 18: fresh water from conduit 147 and salt water from line 158. Neither type of water qualifies as the claimed "air exiting the sump vent."

Further, the fresh water in conduit 147 is not "exiting" a "sump." It is arriving from a municipal water system (or on-site well) on line 11 in Schulze's Figures 1 and 18.

It could be argued that the salt water arriving in conduit 158 is "exiting" from a "sump" in the form of tank 22 in Schulze's Figure 1. However, that tank 22 is not analogous to the claimed "lubrication sump."

The claimed "lubrication sump" is a term-of-art, and refers to the tank which collects lubricant after the lubricant has been applied to, for example, a bearing. The applied lubricant is collected in the sump, and recirculated to other lubrication sites. Restated, the lubricant in the gas turbine engine is recycled. It is not used once and then discarded.

In contrast, the salt water in Schulze's tank 22 is used once, and then discarded. Tank 22 is not a "sump." It is a supply of salt water, which is used once, and then discarded. (It is discarded because, after use in flushing the filter bed, the sodium ions have been delivered to the filter bed. The water is no longer salt water, so it would make no sense to return it to the tank 22.)

Thus, Applicant submits that there is nothing in Schulze which is analogous to the claimed "lubrication sump."

Claim 21

Claim 21 states:

> 21. (Previously presented) Method according to claim 20, and further comprising:
>
> c) maintaining a flow restrictor **downstream of the sump vent**; and
>
> d) maintaining the eductor in a de-actuated state at cruise speed.

Point 1

The Office Action asserts that the **highlighted** passage of claim 21 is found in Schulze, but no "sump vent" has been identified in Schulze.

MPEP § 2143.03 states:

> To establish prima facie obviousness . . . **all the claim limitations** must be taught or suggested by the prior art.

Point 2

As discussed above, the PTO asserts that Schulze shows the de-actuation of the eductor at "cruise speed," but Applicant asserts that assertion to be incorrect.

Thus, claim 21(d) is not found in Schulze, even if the references are combined.

Claim 22

Claim 22 states that the flow restrictor is within the mixing throat. As explained above, Schulze does not show that.

Claim 29

The discussion above applies to dependent claim 29.

In addition, claim 29(d) recites "d) actuating said eductor during idle operation, to thereby reduce pressure in said vent." It was explained above that Hause does not show this, and, in fact, shows the opposite.

Claim 30

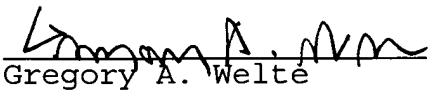
The discussion above, regarding the "reference level" applies to claim 30.

CONCLUSION

Applicant requests that the rejections to the claims be reconsidered and withdrawn.

Applicant expresses thanks to the Examiner for the careful consideration given to this case.

Respectfully submitted,



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ATTACHMENT: APPENDIX A, COMBINED FIGURES 10 AND 10a of HAUSE REFERENCE.

May 8, 1962 G. K. HAUSE 3,033,335

TRANSMISSION

Original Filed April 24, 1957 10 Sheets-Sheet 9

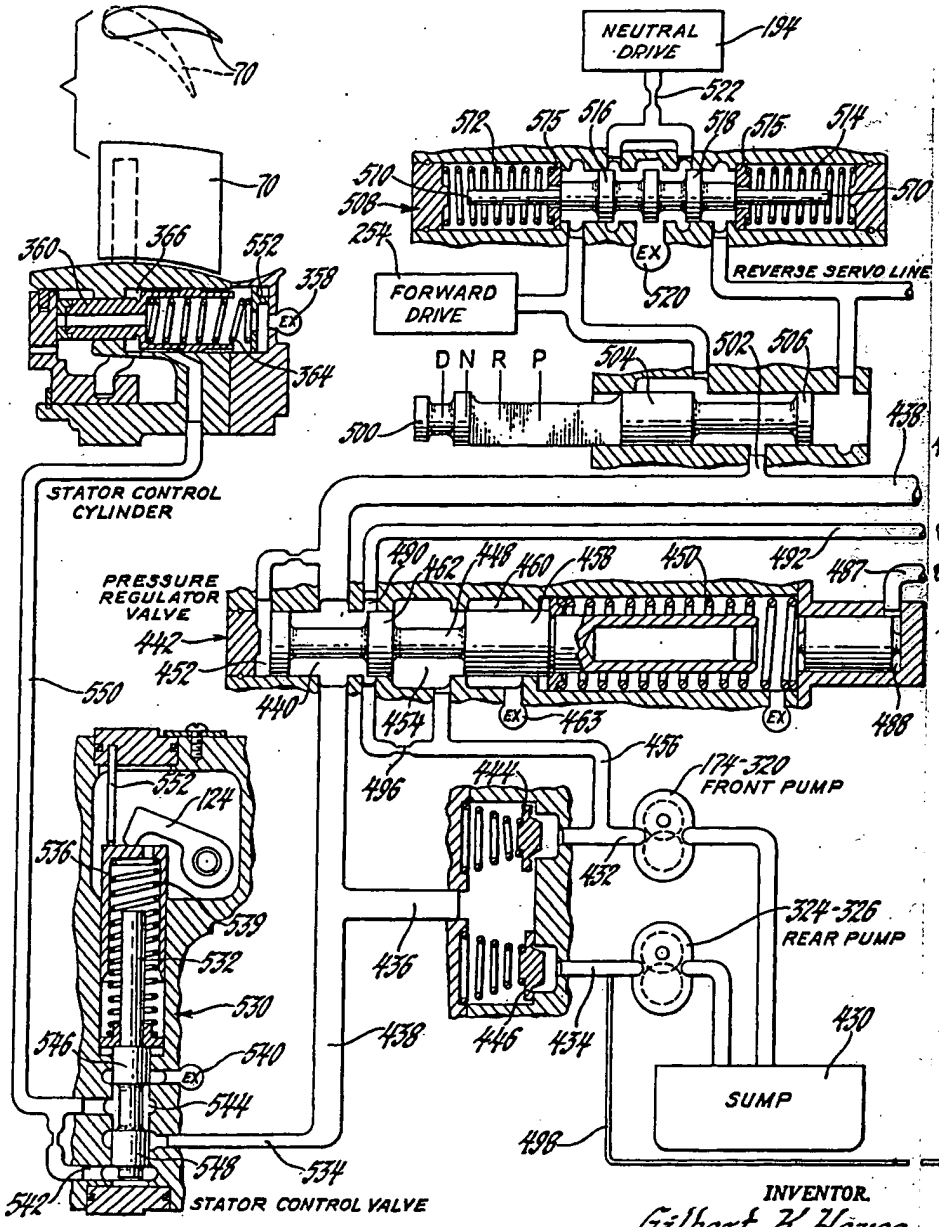

Fig. 10

INVENTOR.
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BY
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May 8, 1962 G. K. HAUSE

TRANSMISSION

Original Filed April 24, 1957

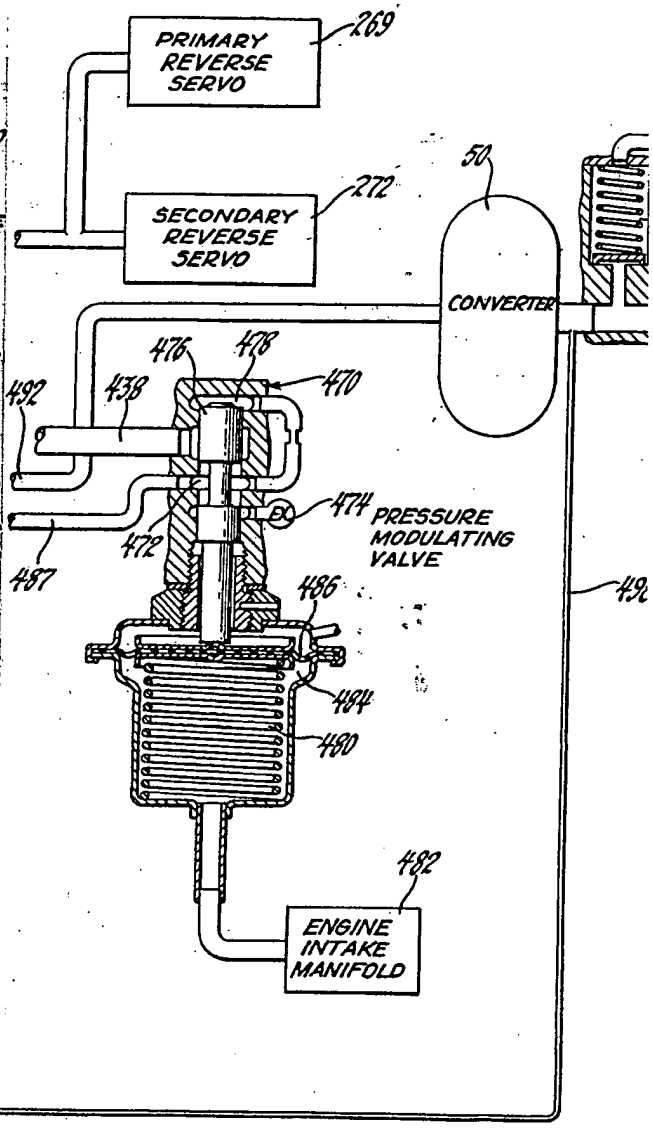

Fig. 10a

BY

APPENDIX A